

## **415.604**

### **Subpart 415.6—Unsolicited Proposals**

#### **415.604 Agency points of contact.**

HCAs are responsible for establishing procedures to ensure compliance with the requirements of FAR 15.604.

#### **415.606 Agency procedures.**

HCAs are responsible for establishing the procedures for control of unsolicited proposals required by FAR 15.606(a) and for identifying the contact points as required by FAR 15.606(b).

## **PART 416—TYPES OF CONTRACTS**

Sec.

416.000 Scope of part.

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416.603 Letter contracts.

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416.603-4 Contract clauses.

416.670 Contract clauses.

### **Subpart 416.7—Agreements**

416.702 Basic agreements.

AUTHORITY: 5 U.S.C. 301 and 40 U.S.C. 486(c).

SOURCE: 61 FR 53646, Oct. 15, 1996, unless otherwise noted.

#### **416.000 Scope of part.**

Heads of contracting activities (HCA's) are authorized to establish written procedures allowing the use of any contract type described in FAR part 16 for acquisitions made under

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simplified acquisition procedures in FAR part 13.

### **Subpart 416.2—Fixed-Price Contracts**

**416.203 Fixed-price contracts with economic price adjustment.**

#### **416.203-4 Contract clauses.**

An economic price adjustment clause based on cost indexes of labor or material may be used under the conditions listed in FAR 16.203-4(d) after approval by the HCA and consultation with the Office of the General Counsel.

### **Subpart 416.4—Incentive Contracts**

**416.405 Cost-reimbursement incentive contracts.**

**416.405-2 Cost-plus-award-fee contracts.**

The HCA may designate an acquisition official other than the contracting officer as the fee determination official (FDO) to make the final determination of the award fee. The designated official must have warranted contracting authority at the same level as the contracting officer or higher, and shall not have participated in preparing the contractor performance evaluation. If the HCA does not designate an FDO, the chief of the contracting office shall act as the FDO.

[61 FR 53646, Oct. 15, 1996. Redesignated at 63 FR 26995, May 15, 1998.]

#### **416.406 Contract clauses.**

The contracting officer shall insert a clause substantially the same as the clause at 452.216-70, Award Fee, in solicitations and contracts which contemplate the award of cost-plus-award-fee contracts.

[61 FR 53646, Oct. 15, 1996. Redesignated at 63 FR 26995, May 15, 1998.]

#### **416.470 Solicitation provision.**

The contracting officer shall insert the provision at 452.216-71, Base Fee and Award Fee Proposal, in solicitations which contemplate the award of a cost-plus-award-fee contract.